

Appendix A – Farm Bill References

Agriculture Act (Farm Bill) of 2014

Amendments to the Healthy Forest Restoration Act (HFRA) of 2003

2014 Farm Bill, Section 8204 , Insect and Disease Infestation

Amends Title VI of the Healthy Forest Restoration Act (HFRA) of 2003 (16 U.S.C. 6591 et seq.) by adding section 602 (Designation of Treatment Areas) and section 603 (Administrative Review) to address qualifying insect and disease infestations on National Forest System lands.

HFRA, Section 602, Designation of Treatment Areas

Not later than 60 days after enactment, if requested by a Governor of a State, the Secretary of the U.S. Department of Agriculture was required to designate as part of an insect and disease treatment program at least one landscape area (such as a sub-watershed - 6th level Hydrologic Unit Code) in at least one national forest in each State that is experiencing an insect and disease epidemic. (The Secretary may designate additional areas to address insect and disease threats after the initial 60 day period.)

- Areas were designated on May 20, 2014. Information on areas designated by state can be found at <http://www.fs.fed.us/farmbill/areadesignations.shtml>.

HFRA, Section 603, Administrative Review

Under section 603, an insect and disease project may be categorically excluded from documentation in an environmental assessment or an environmental impact statement and exempt from pre-decisional objections. In order to use this Categorical Exclusion (CE), projects must:

- Maximize old growth and large trees to the extent the trees promote stands that are resilient to insect and disease threats;
- Consider the best available scientific information; and
- Be developed through a collaborative process that:
 - includes multiple interested persons representing diverse interests;
 - and is transparent and non-exclusive, *or* meets the requirements of a resource advisory committee under subsections (c) through (f) of section 205 of the Secure Rural Schools and Community Self-Determination Act.
- *Projects that carry out part of a proposal that complies with the eligibility requirements of a Collaborative Forest Landscape Restoration Program have already been determined to meet the above requirements.*

Section 603 imposes limitations on the use of the section 603 CE. A project that uses this categorical exclusion:

- May not exceed 3,000 **treated** acres;
- Shall be located in the Wildland Urban Interface (WUI), or if outside the WUI in an area in condition classes 2 or 3 in Fire Regime Groups I, II, or III; and

- May not include the establishment of permanent roads, but may allow for necessary maintenance and repairs on existing permanent roads and may allow for the construction of temporary roads (where not otherwise prohibited) for the purposes of carrying out this section. Temporary roads would have to be decommissioned no later than three years after the date of project completion.

The section 603 CE may not be used in areas that are:

- Congressionally designated Wilderness and Wilderness Study Areas;
- Areas where the removal of vegetation is restricted or prohibited by statute or by Presidential proclamation; and
- Areas where the activities described above would be inconsistent with the applicable Land and Resource Management Plan.